

DECLARATION AND OATH OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

[X] Declaration Submitted with Initial Filing or [ ] Declaration Submitted after Initial Filing (surcharge 37 CFR 1.16 (e) required)

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED  
METHOD OF BREEDING YEAST the specification of which is:

[ ] attached hereto  
OR

[X] was filed on (MM/DD/YYYY) 10/26/2000 As United States Application Number (Attorney Docket No. \_\_\_\_\_) or PCT International Application No. PCT/JP00/07491 and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 including for continuation-in-part application, material information which becomes available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international Application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventors certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)			Priority Not Claimed	Certified Copy Attached?	
Number	Country	Foreign Filing Date (MM/DD/YYYY)		Yes	No
304185/1999	Japan	10/26/1999	[ ]	[ ]	[X]

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional Application(s) listed below.

PRIOR U.S. PROVISIONAL(S)	
Application No. (series code/serial no.)	Filing Date (MM/DD/YYYY)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the registered practitioners represented by **Customer No.: 20736** to prosecute this application and transact all business in the U.S. Patent and Trademark Office in connection therewith. Direct all correspondence to **Manelli Denison & Selter PLLC at Customer No.: 20736**.

1-00 1. INVENTOR'S SIGNATURE: Toshihiko Ashikari Date June 18, 2001  
Inventor's Name (typed) Toshihiko ASHIKARI Japan  
First Middle Initial Family Name Country of Citizenship  
Residence (City) Takatsuki-shi (State) Osaka, Japan JPX  
Post Office Address (Include Zip Code) 11-26, Takamidai, Takatsuki-shi, Osaka 569-1020 Japan

2-00 2. INVENTOR'S SIGNATURE: Misa Ochiai Date June 18, 2001  
Inventor's Name (typed) Misa OCHIAI Japan  
First Middle Initial Family Name Country of Citizenship  
Residence (City) Mishima-gun (State) Osaka, Japan JPX  
Post Office Address (Include Zip Code) 20-5-401, Yamazaki 4-chome, Shimamoto-cho, Mishima-gun, Osaka 618-0001 Japan

3. INVENTOR'S SIGNATURE: \_\_\_\_\_ Date \_\_\_\_\_  
Inventor's Name (typed) \_\_\_\_\_  
First Middle Initial Family Name Country of Citizenship  
Residence (City) \_\_\_\_\_ (State) \_\_\_\_\_  
Post Office Address (Include Zip Code) \_\_\_\_\_

[ ] Additional Inventors are being named on the \_ supplemental additional inventor sheet(s) attached hereto.

VERIFICATION OF A TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below;

That I am knowledgeable in the English language and in the language in which the below identified application was filed, and that I believe the English translation of International Application No. PCT/JP00/07491 is a true and complete translation of the above identified International Application as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated this 21st day of June, 2001

Full name of the translator: Hiroko EJIRI

Signature of the translator:



Post Office Address: c/o YUASA AND HARA, Section 206,  
New Ohtemachi Bldg., 2-1,  
Ohtemachi 2-chome, Chiyoda-ku,  
Tokyo, JAPAN

## PCT REQUEST

YCT-542

<b>0</b>	<b>For receiving Office use only</b>	
<b>0-1</b>	International Application No.	
<b>0-2</b>	International Filing Date	28.10.00
<b>0-3</b>	Name of receiving Office and "PCT International Application"	
<b>0-4</b>	<b>Form - PCT/RO/101 PCT Request</b>	
<b>0-4-1</b>	Prepared using	<b>PCT-EASY Version 2.91 (updated 10.10.2000 )</b>
<b>0-5</b>	<b>Petition</b> The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
<b>0-6</b>	<b>Receiving Office (specified by the applicant)</b>	<b>Japanese Patent Office (RO/JP)</b>
<b>0-7</b>	<b>Applicant's or agent's file reference</b>	<b>YCT-542</b>
<b>I</b>	<b>Title of invention</b>	<b>METHOD OF BREEDING YEAST</b>
<b>II</b>	<b>Applicant</b>	
<b>II-1</b>	This person is:	<b>applicant only</b>
<b>II-2</b>	Applicant for	<b>all designated States except US</b>
<b>II-4</b>	Name	<b>SUNTORY LIMITED</b>
<b>II-5</b>	Address:	<b>1-40, Dojimahama 2-chome, Kita-ku, Osaka-shi, Osaka 530-8203 Japan</b>
<b>II-6</b>	State of nationality	<b>JP</b>
<b>II-7</b>	State of residence	<b>JP</b>
<b>III-1</b>	<b>Applicant and/or inventor</b>	
<b>III-1-1</b>	This person is:	<b>applicant and inventor</b>
<b>III-1-2</b>	Applicant for	<b>US only</b>
<b>III-1-4</b>	Name (LAST, First)	<b>ASHIKARI, Toshihiko</b>
<b>III-1-5</b>	Address:	<b>11-26, Takamidai, Takatsuki-shi, Osaka 569-1020 Japan</b>
<b>III-1-6</b>	State of nationality	<b>JP</b>
<b>III-1-7</b>	State of residence	<b>JP</b>

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<b>III-2</b>	<b>Applicant and/or inventor</b>	
III-2-1	This person is:	<b>applicant and inventor</b>
III-2-2	Applicant for	<b>US only</b>
III-2-4	Name (LAST, First)	<b>OCHIAI, Misa</b>
III-2-5	Address:	<b>20-5-401, Yamazaki 4-chome, Shimamoto-cho, Mishima-gun, Osaka 618-0001 Japan</b>
III-2-6	State of nationality	<b>JP</b>
III-2-7	State of residence	<b>JP</b>
<b>IV-1</b>	<b>Agent or common representative; or address for correspondence</b>	
	The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	<b>agent</b>
IV-1-1	Name (LAST, First)	<b>SHAMOTO, Ichio</b>
IV-1-2	Address:	<b>YUASA AND HARA Section 206, New Ohtemachi Bldg, 2-1, Ohtemachi 2-chome, Chiyoda-ku, Tokyo 100-0004 Japan</b>
IV-1-3	Telephone No.	<b>03-3270-6641</b>
IV-1-4	Facsimile No.	<b>03-3246-0233</b>
IV-1-5	e-mail	<b>yulawpat@yuasa-hara.co.jp</b>
<b>IV-2</b>	<b>Additional agent(s)</b>	<b>additional agent(s) with same address as first named agent</b>
IV-2-1	Name(s)	<b>IMAI, Shosuke; MASUI, Chuji; KOBAYASHI, Yasushi; TOMITA, Hiroyuki; EJIRI, Hiroko</b>
<b>V</b>	<b>Designation of States</b>	
<b>V-1</b>	<b>Regional Patent</b> (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	<b>EP: AT BE CH&amp;LI CY DE DK ES FI FR GB GR IE IT LU MC NL PT SE and any other State which is a Contracting State of the European Patent Convention and of the PCT</b>
<b>V-2</b>	<b>National Patent</b> (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	<b>AU CA US</b>
<b>V-5</b>	<b>Precautionary Designation Statement</b>  In addition to the designations made under items V-1, V-2 and V-3, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except any designation(s) of the State(s) indicated under item V-6 below. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit.	

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V-6	Exclusion(s) from precautionary designations	NONE	
VI-1	Priority claim of earlier national application		
VI-1-1	Filing date	26 October 1999 (26.10.1999)	
VI-1-2	Number	304185/1999	
VI-1-3	Country	JP	
VI-2	Priority document request The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s):	VI-1	
VII-1	International Searching Authority Chosen	Japanese Patent Office (JPO) (ISA/JP)	
VIII	Check list	number of sheets	electronic file(s) attached
VIII-1	Request	4	-
VIII-2	Description (excluding sequence listing part)	21	-
VIII-3	Claims	2	-
VIII-4	Abstract	1	-
VIII-5	Drawings	8	-
VIII-6	Sequence listing part of description	7	-
VIII-7	TOTAL	43	
VIII-8	Accompanying Items	paper document(s) attached	electronic file(s) attached
VIII-8	Fee calculation sheet	✓	-
VIII-15	Nucleotide and/or amino acid sequence listing in computer readable form		-
VIII-16	PCT-EASY diskette	-	diskette
VIII-18	Figure of the drawings which should accompany the abstract		
VIII-19	Language of filing of the international application	Japanese	
IX-1	Signature of applicant or agent		
IX-1-1	Name (LAST, First)	SHAMOTO, Ichio (seal)	
IX-2	Signature of applicant or agent		
IX-2-1	Name (LAST, First)	IMAI, Shosuke (seal)	
IX-3	Signature of applicant or agent		
IX-3-1	Name (LAST, First)	MASUI, Chuji (seal)	
IX-4	Signature of applicant or agent		
IX-4-1	Name (LAST, First)	KOBAYASHI, Yasushi (seal)	
IX-5	Signature of applicant or agent		
IX-5-1	Name (LAST, First)	TOMITA, Hiroyuki (seal)	

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IX-6	Signature of applicant or agent	
IX-6-1	Name (LAST, First)	EJIRI, Hiroko (seal)

## FOR RECEIVING OFFICE USE ONLY

10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority	ISA/JP
10-6	Transmittal of search copy delayed until search fee is paid	

## FOR INTERNATIONAL BUREAU USE ONLY

11-1	Date of receipt of the record copy by the International Bureau	
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